

### Remarks

Claims 1-34 are pending in this application. Claims 4, 6, 7, 10-12, 15-17, and 20-34 are allowed. Accordingly, claims 1-3, 5, 8, 9, 13, 14, 18, and 19 are at issue. Applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The indication of allowable subject matter in claims 5 and 19 is noted with appreciation. The Action indicates that claim 5 is objected to for being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Accordingly, claim 5 is rewritten in independent form to include the limitations in claim 1 so that it should now be in condition for allowance.

Claim 19 is rejected under 35 U.S.C. §112 as being indefinite. The Action indicates that claim 19 would be allowable if amended to overcome the §112 rejection. In accordance with the Examiner's recommendation, claim 19 has been amended to replace the language "ones of the" with "respective." Accordingly, Applicants respectfully submit that the rejection of claim 19 is now obviated and claim 19 should now be in condition for allowance.

Claims 1-3, 8, 9, 13, 14, and 18 stand rejected under 35 U.S.C. §102(b) as anticipated by Martin, U.S. Patent No. 3,052,432 ("the Martin reference"). Claims 1-3, 8, 9, 13, 14, and 18 further stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tucker, U.S. Patent No. 5,306,044 ("the Tucker reference"), in view of the Martin reference. The rejections are respectfully traversed.

Independent claims 1 and 13 are directed to a restraint system for a vehicle seat that provides a seat occupant options for multiple seat belt configurations. Claims 1 and 13 call for a plurality of anchor points at various predetermined locations about the vehicle seat from which the seat belt webbing extends. As amended, claims 1 and 13 also require that at least one of the anchor points be mounted to a permanent structure of the vehicle. In addition, amended claims 1 and 13 require that an anchor point is located adjacent a forward edge of the vehicle seat. No such configuration is disclosed or suggested in the relied upon art.

The Martin reference discloses a harness to be used for an aircraft ejection seat. In the Action, it is stated that the Martin reference shows a plurality of anchor points that can be used in a three-point, four-point or five-point belt arrangement. However, all the anchor points used for the harness in the Martin reference are located on the seat frame. This allows the seat to eject or separate from the aircraft with the harness remaining attached to the seat. As the seat is able to eject and separate from the aircraft, the seat and seat frame are not permanent structures of the vehicle. If the harness had an anchor point mounted to a permanent structure of the aircraft, then the seat would not freely separate from the aircraft when ejected, but would remain attached to the aircraft by the anchor point mounted to the permanent structure of the aircraft. As a result, all of the anchor points for the harness in the Martin reference must be located on a non-permanent vehicle structure so that the seat may operate for its intended purpose as an aircraft ejection seat. Therefore, the requirement in amended claims 1 and 13 that at least one of the anchor points be mounted to a permanent vehicle structure distinguishes it from the Martin reference. Accordingly, it is believed that claims 1 and 13, and claims 2-3, 8-9, 14, and 18 which depend from their respective parent claims, are allowable over the Martin reference.

The Action asserts that the Tucker reference discloses all of the limitations of claims 1-3, 8, 9, 13, 14, and 18 except for an anchor or connector to form a five point arrangement. The Action states that the Martin reference discloses an anchor for a five point arrangement, with the fifth point arrangement between the legs of the occupant. Applicants respectfully assert that the Tucker reference teaches away from having the fifth anchor point of the Martin reference.

The Tucker reference discloses a body restraint system for a vehicle, with an objective of the restraint system being to prevent submarining in which a person slides down and through the lap belt portion of a restraint system, such as during a sudden deceleration. In the restraint system of the Tucker reference, right and left shoulder straps and right and left lap straps are connected to a center release assembly. A leg strap is attached to the right and left lap straps, with the leg strap

having a center portion connected to the release assembly. The leg strap functions to prevent submarining of the person in the body restraint system (Tucker, col. 1, lns. 48–55).

In describing the limitations of previously known restraint systems, the Tucker reference specifically states that straps running from a lap belt and down between the legs of a person and over the forward edge of a seat, such as disclosed by the Martin reference, only “limit submarining, but do not prevent the problem,” with such straps “generally allow[ing] a person to slide down and forward until the pelvis reaches the forward edge of the seat” (col. 1, lns. 56–65). Therefore, the Tucker reference specifically states that a fifth anchor point, such as disclosed by the Martin reference, is ineffective in preventing the problem of submarining, as targeted by the restraint system of the Tucker reference. As a result, the Tucker reference specifically teaches away from combining the fifth anchor point of the Martin reference with the restraint system of the Tucker reference. Therefore, there is no suggestion or motivation to combine the Tucker and Martin references. Further, as amended, claims 1 and 13 require an anchor point located adjacent a forward edge of the vehicle seat. Again, the Tucker reference specifically teaches away from such a configuration. Accordingly, it is believed that claims 1 and 13, and claims 2–3, 8–9, 14, and 18 which depend from their respective parent claims, are allowable over the relied upon art.

Based on the foregoing, reconsideration and allowance of claims 1–3, 5, 8, 9, 13, 14, 18, and 19 are respectfully requested. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

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Respectfully submitted,

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